

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

James Oldham, individually and on behalf of
all others similarly situated,

Plaintiff,

V.

Nova Mud, Inc.,

Defendant.

Civil Action No. 2:20-cv-01166-MIS-GBW

Nova Mud, Inc.,

Third Party Plaintiff

V.

RUSCO Operating, LLC,

Third Party Defendant

STATUS REPORT

Per the Order of the Court of July 27, 2023 (ECF No. 80), the Parties offer the following Status Report:

Plaintiff filed his demand for arbitration on August 25, 2023. The parties submitted their strike lists for arbitrator selection on October 10, 2023. The parties are currently awaiting the appointment of an arbitrator and the scheduling of the arbitration.

The Parties will comply with the remainder of the Order, continuing to provide status reports every 90 days, and will inform the Court of the completion of arbitration proceedings within 30 days.

Dated: October 25, 2023

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on October 25, 2023, I filed the foregoing document with the Clerk of Court for the United States District Court of New Mexico using the CM/ECF method of the Court, which filing electronically served all counsel of record in the case in compliance with Rule 5.

s/Melinda Arbuckle

Melinda Arbuckle